



Attorney Docket No. 14245US02

**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**NOVEL COCRYSTALLIZATION**

the specification of which was filed as U.S. Patent Application Serial No. 10/763,987 on January 21, 2004.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, section 119(a)-(d) or section 365(b) of any foreign application(s) for patent or inventor's certificate, or section 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:

NONE.

I hereby claim the benefit under Title 35, United States Code, section 119(e) of any United States provisional application(s) listed below:

U.S. Provisional Patent Application  
Serial No. 60/441,561 filed January 21, 2003.

I hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s), or section 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the

subject matter of each of the claims of this application is not disclosed in such prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56(a) which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

I hereby appoint:

George P. McAndrews	Reg. No. 22,760
John J. Held	Reg. No. 21,061
Timothy J. Malloy	Reg. No. 25,600
William M. Wesley	Reg. No. 26,521
Lawrence M. Jarvis	Reg. No. 27,341
Gregory J. Vogler	Reg. No. 31,313
Jean Dudek Kuelper	Reg. No. 30,171
Herbert D. Hart III	Reg. No. 30,063
Robert W. Fieseler	Reg. No. 31,826
Thomas J. Wimbiscus	Reg. No. 36,059
Steven J. Hampton	Reg. No. 33,707
Priscilla F. Gallagher	Reg. No. 32,223
Stephen F. Sherry	Reg. No. 30,590
Patrick J. Arnold Jr.	Reg. No. 37,769
George Wheeler	Reg. No. 28,766
Janet M. McNicholas	Reg. No. 32,918
Ronald E. Larson	Reg. No. 24,478
Christopher C. Winslade	Reg. No. 36,308
Edward A. Mas II	Reg. No. 37,179
Gregory C. Schodde	Reg. No. 36,668
Edward W. Remus	Reg. No. 25,703
Donald J. Pochopien	Reg. No. 32,167
Sharon A. Hwang	Reg. No. 39,717
David D. Headrick	Reg. No. 40,642
Alejandro Menchaca	Reg. No. 34,389
Kirk A. Vander Leest	Reg. No. 34,036
Richard T. McCaulley, Jr.	Reg. No. 41,977
Peter J. McAndrews	Reg. No. 38,547
Leland G. Hansen	Reg. No. 50,731
James M. Hafertepe	Reg. No. 51,219
Jonathan R. Sick	Reg. No. 43,920
Eligio C. Pimentel	Reg. No. 42,076
James P. Murphy	Reg. No. 40,741
Dean A. Pelletier	Reg. No. 45,007
Michael B. Harlin	Reg. No. 43,658
James R. Nuttall	Reg. No. 44,978
Robert A. Surette	Reg. No. 52,262

Timothy L. Harney	Reg. No. 38,174
Joseph M. Barich	Reg. No. 42,291
Scott P. McBride	Reg. No. 42,853
Patricia J. McGrath	Reg. No. 44,919
Wilhelm L. Rao	Reg. No. 52,151
Sandra A. Frantzen	Reg. No. 48,799
Ronald H. Spuhler	Reg. No. 52,245
Christopher V. Carani	Reg. No. 44,049
Jennifer E. Lacroix	Reg. No. 46,852
Joseph F. Harding	Reg. No. 48,450
Joseph M. Butscher	Reg. No. 48,326
Troy A. Groetken	Reg. No. 46,442
Sara J. Bartos	Reg. No. 51,439
John A. Wiberg	Reg. No. 44,401
John Abramic	Reg. No. 51,031
Michael J. Fitzpatrick	Reg. No. 48,150
David Z. Petty	Reg. No. 52,119
Mirut P. Dalal	Reg. No. 44,052
Christopher N. George	Reg. No. 51,728
Deborah A. Laughton	Reg. No. 54,253
Dennis P. Hackett	Reg. No. 52,482
David R. Beto	Reg. No. 51,467
Shawn L. Peterson	Reg. No. 44, 286
Christopher R. Carroll	Reg. No. 52,700
Peter J. Prommer	Reg. No. 54,743
Merle S. Elliott	Reg. No. 52,857
Brian C. Bianco	Reg. No. 51,471
Michael T. Cruz	Reg. No. 44,636
Ognyan I. Beremski	Reg. No. 51,458
Kevin E. Borg	Reg. No. 51,486
Christopher Scharff	Reg. No. 53,556
Fredrick French III	Reg. No. 52,524

the address and telephone number of each of whom is McAndrews, Held & Malloy, Ltd., 500 West Madison Street, 34th Floor, Chicago, Illinois 60661, (312) 775-8000, as our attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

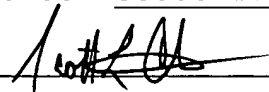
Please direct telephone calls to Robert W. Fieseler at (312) 775-8000. Please direct facsimiles to Robert W. Fieseler at (312) 707-9155 or (312) 775-8100.

Please address correspondence to:

Robert W. Fieseler  
McAndrews, Held & Malloy, Ltd.  
500 West Madison Street, Suite 3400  
Chicago, Illinois 60661

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Scott L. Childs

Inventor's signature  Date: 3-18-04

Residence Address 1467 Oxford Rd. Atlanta, GA 30307

Citizenship: U.S.A.

Post Office Address c/o EmTechBio

1256 Briarcliff Rd

Atlanta, GA 30306